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COUNTY OF ALAMEDA, J. MALIZIA,
S. TYRRELL and D. TEICHERA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DONOVAN WHITTEN,

Plaintiff,

v.

COUNTY OF ALAMEDA; J. MALIZIA;
S. TYRRELL; D. TEICHERA; and DOES 1-
15, inclusive,

Defendants.

Case No. C 11-01251 SI

**STIPULATION AND ~~[PROPOSED]~~ ORDER
CONTINUING CASE MANAGEMENT
CONFERENCE**

1 Defendants COUNTY OF ALAMEDA, J. MALIZIA, S. TYRRELL and D. TEICHERA and
2 plaintiff DONOVAN WHITTEN, by and through their respective attorneys of record, hereby stipulate as
3 follows:

4 1. The parties appeared for an initial case management conference on August 5, 2011.
5 Pursuant to this Court's Pretrial Preparation Order dated August 10, 2011, the following discovery and
6 dispositive motion deadlines were set:

- 7 (A) Disclosure of Expert Witnesses and Expert Reports to be served by 4-20-12;
- 8 (B) Disclosure of Rebuttal Expert Witnesses to be served by 5-11-12;
- 9 (C) Non-Expert Discovery to be completed by 03-16-12;
- 10 (D) Expert Discovery to be completed by 05-31-12;
- 11 (E) All Dispositive Motions shall be filed, served, and noticed by 8-3-12;
- 12 (F) Oppositions to all dispositive motions due 08-17-12;
- 13 (G) Replies to oppositions to all dispositive motions due 08-24-12;
- 14 (H) The Court shall hear dispositive motions no later than 9-7-12 at Courtroom 10, 19th Floor,
15 Federal Building, 450 Golden Gate Avenue, S.F., CA 94102;

16 2. The Court additionally set a further Case Management Conference for January 13, 2012.

17 3. The parties were further referred to mediation on August 10, 2011 and were ordered to
18 complete the mediation session in the 1st half of December, 2011. The parties were assigned to mediator
19 Stephen L. Schirle and agreed to schedule mediation for December 6, 2011.

20 4. The parties submitted a stipulation and proposed Order on November 7, 2011 requesting a
21 continuance of the mediation compliance date. By Order dated November 8, 2011, the parties request
22 was granted, and the mediation compliance date was continued to February 17, 2011. The Docket Text
23 accompanying the Order served via EFS stated that the January 13, 2012 Case Management Conference
24 remains on calendar as counsel did not request a continuance of it.

25 5. Because mediation will not be completed prior to the upcoming January 13, 2012 Case
26 Management Conference, the parties respectfully request that the Court continue the January 13, 2012
27 Case Management Conference to a date after the February 17, 2011 mediation compliance date. The
28 parties respectfully request the conference be continued until February 24, 2012 or a date thereafter as

convenient to the Court.

6. The parties' request for a continuance of the scheduled Case Management Conference should not interfere with the presently scheduled pretrial and trial dates set by the Court. The parties have submitted one prior stipulation to alter any deadlines set by the Court (as set forth above).

7. The parties respectfully request that the Court approve this stipulation and incorporate its terms in an Order.

IT IS SO STIPULATED.

LAW OFFICES OF JOHN L. BURRIS

Dated: December 1, 2011

By: /s/ John L. Burris
John L. Burris, Esq.
Attorneys for Plaintiff
DONOVAN WHITTEN

BERTRAND, FOX & ELLIOT

Dated: December 1, 2011


By: /s/ Michael C. Wenzel
Thomas F. Bertrand
Richard W. Osman
Michael C. Wenzel
Attorneys for Defendants
COUNTY OF ALAMEDA, J. MALIZIA,
S. TYRRELL and D. TEICHERA

ORDER

GOOD CAUSE APPEARING THEREFOR, and the parties' having stipulated to same, the parties' stipulation is hereby APPROVED. The Further Case Management Conference, currently scheduled for January 13, 2012, shall be continued until February 24, 2012.

IT IS SO ORDERED.

DATED: 12/2/11


HONORABLE SUSAN ILLSTON
United States District Judge